

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

SILVERIO ARENAS, JR.,

Plaintiff,

v.

JAY INSLEE, et al.,

Defendants.

CASE NO. 19-cv-5339-RJB

ORDER DENYING PLAINTIFF'S
LETTER/MOTION AND
REFERRING CASE TO
BANKRUPTCY COURT

THIS MATTER comes to the Court's attention on the Plaintiff's letter requesting clarification and information regarding case progression and service of process (Dkt. 34). Plaintiff's letter requests assistance from the Court that the Court cannot properly provide, and the request for clarification and assistance must be denied.

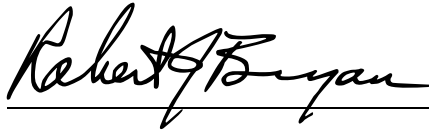
It came to the Court's attention in the Defendant's Response to Plaintiff's Motion for Clarification and Declaration (Dkt. 35) that Plaintiff is the Petitioner in a pending bankruptcy proceeding. The record reflects that an order confirming a Chapter 13 plan in which Plaintiff is a Petitioner, was entered by Judge Marc L. Barreca on August 22, 2017, and recited, in part, "All property of the debtors and the estate should remain under the exclusive jurisdiction of the

1 court.” Apparently, the claim made by Plaintiff in this District Court’s case should be referred to
2 the Bankruptcy Court pursuant to 28 U.S.C. §157, and Local Civil Rule 87, and proceedings in
3 this District Court case should be stayed pending Bankruptcy Court proceedings.

4 IT IS SO ORDERED.

5 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
6 to any party appearing *pro se* at said party’s last known address.

7 Dated this 23rd day of October, 2019.

8 

9 ROBERT J. BRYAN
10 United States District Judge
11
12
13
14
15
16
17
18
19
20
21
22
23
24

STAYED

U.S. District Court
United States District Court for the Western District of Washington (Tacoma)
CIVIL DOCKET FOR CASE #: 3:19-cv-05339-RJB

Arenas v. Inslee et al
Assigned to: Judge Robert J. Bryan
Cause: 42:1983 Civil Rights Act

Date Filed: 04/21/2019
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Silverio Arenas, Jr
Ph.D.

represented by **Silverio Arenas, Jr**
PO BOX 306
MOUNT VERNON, WA 98273
360-661-6126
PRO SE

V.

Defendant

Jay Inslee
Governor of the State of Washington

represented by **Celeste T. Stokes**
ATTORNEY GENERAL'S OFFICE
(SEA- FIFTH AVE)
800 5TH AVE
STE 2000
SEATTLE, WA 98104-3188
206-464-2040
Email: CelesteS@atg.wa.gov
ATTORNEY TO BE NOTICED

Defendant

Bob Ferguson
Attorney General, State of Washington
(OAG)

represented by **Celeste T. Stokes**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Joel Sacks
Director, Washington State Department of
Labor and Industries (L&I)

represented by **Celeste T. Stokes**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Victor Velasquez
Intern and Case Manager, L&I

represented by **Celeste T. Stokes**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Maggie Leland
Legislative Liaison, L&I

represented by **Celeste T. Stokes**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Tonya Morgan
CPC Auditor, L&I

represented by **Celeste T. Stokes**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Gary Franklin
MD; Medical Director, L&I

represented by **Celeste T. Stokes**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Lee Glass
MD, Associate Medical Director, L&I

represented by **Celeste T. Stokes**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Stephen Thielke
MD, Medical Consultant, L&I

represented by **Celeste T. Stokes**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Jean des Rochers
RN, Nurse Consultant, L&I

represented by **Celeste T. Stokes**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Ernie LaPalm
Deputy Director, L&I

represented by **Celeste T. Stokes**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Dan Johnston
Director, L&I Office of Internal Audit and Civil Rights

represented by **Celeste T. Stokes**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Montana Salvoni
Lead Civil Rights Investigator, L&I

represented by **Celeste T. Stokes**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Shelley Mortinson
Deputy Attorney General, OAG

represented by **Celeste T. Stokes**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Angela Emter
L&I Auditor

represented by **Celeste T. Stokes**
 (See above for address)
ATTORNEY TO BE NOTICED

Defendant

Victoria Kennedy
Assistant Director, L&I Insurance Services

represented by **Celeste T. Stokes**
 (See above for address)
ATTORNEY TO BE NOTICED

Defendant

Gregory G Silvey
*Section Chief, Early
 Resolution/Investigation (OAG)*

represented by **Celeste T. Stokes**
 (See above for address)
ATTORNEY TO BE NOTICED

Defendant

Lisa Gilman
Senior Investigator/Analyst, OAG

represented by **Celeste T. Stokes**
 (See above for address)
ATTORNEY TO BE NOTICED

Defendant

Mark Koenen
MD, Contracted Medical Examiner, L&I

represented by **Celeste T. Stokes**
 (See above for address)
ATTORNEY TO BE NOTICED

Defendant

Lisa van der Lugt
*former Director, Governor's Commission
 on Hispanic Affairs; Director, Office of
 Minority and Women's Business
 Enterprises*

represented by **Celeste T. Stokes**
 (See above for address)
ATTORNEY TO BE NOTICED

Defendant

Uriel Iniguez
*former Director, Governor's Commission
 on Hispanic Affairs; Director of
 Community Relations, L&I*

represented by **Celeste T. Stokes**
 (See above for address)
ATTORNEY TO BE NOTICED

Defendant

Claudia Watson
Case Manager, L&I

represented by **Celeste T. Stokes**
 (See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/21/2019	<u>1</u>	MOTION for Leave to Proceed In Forma Pauperis, filed by Silverio Arenas, Jr. (Attachments: # <u>1</u> Proposed Complaint, # <u>2</u> Civil Cover Sheet, # <u>3</u> Transmittal Email)(SP) (Entered: 04/24/2019)

04/25/2019		REFERRING 1 MOTION for Leave to Proceed In Forma Pauperis to: Magistrate Judge J Richard Creatura David W. Christel . (SP) Modified on 5/9/2019 to correct referral judge name (GMR). (Entered: 04/25/2019)
04/26/2019	2	ORDER TO SHOW CAUSE re 1 MOTION for Leave to Proceed In Forma Pauperis, signed by Judge David W. Christel. Plaintiff is ordered to show cause why his Application should not be denied or pay the \$400.00 filing fee by May 24, 2019. (ERA - cc: plaintiff) (Entered: 04/26/2019)
04/26/2019		Filing fee received: \$400, Receipt Number: TAC015642. (ERA) (Entered: 04/26/2019)
04/26/2019	3	COMPLAINT against defendant(s) Angela Emter, Bob Ferguson, Gary Franklin, Lisa Gilman, Lee Glass, Jay Inslee, Dan Johnston, Victoria Kennedy, Mark Koenen, Ernie LaPalm, Maggie Leland, Tonya Morgan, Shelley Mortinson, Joel Sacks, Montana Salvoni, Gregory G Silvey, Stephen Thielke, Victor Velasquez, Jean des Rochers, with JURY DEMAND, filed by Silverio Arenas, Jr. (Summons(es) not received to issue) (Receipt # TAC015642) (ERA) (Entered: 04/26/2019)
04/29/2019	4	ORDER REGARDING DISCOVERY AND DEPOSITIONS. Authorized by Judge Robert J. Bryan. (JL) Paper copy sent to plaintiff at Mount Vernon address . Modified on 4/29/2019 (JL). (Entered: 04/29/2019)
04/29/2019	5	ORDER REGARDING INITIAL DISCLOSURES AND JOINT STATUS REPORT. FRCP 26f Conference Deadline is 7/15/2019, Initial Disclosure Deadline is 7/22/2019, Joint Status Report due by 7/29/2019. Authorized by Judge Robert J. Bryan. Paper copy sent to plaintiff at Mount Vernon address. (JL) (Entered: 04/29/2019)
04/29/2019		JSR due 7/29/2019. (JL) (Entered: 04/29/2019)
07/01/2019	6	MOTION to Amend Complaint, filed by Plaintiff Silverio Arenas, Jr. (Attachments: # 1 Proposed Amended Complaint, # 2 Summons - Jay Inslee, # 3 Summons - Bob Ferguson, # 4 Summons - Joel Sacks, # 5 Summons - Victor Velasquez, # 6 Summons - Maggie Leland, # 7 Summons - Tonya Morgan, # 8 Summons - Gary Franklin, # 9 Summons - Lee Glass, # 10 Summons - Stephen Thielke, # 11 Summons - Jean des Rochers, # 12 Summons - Ernie LaPalm, # 13 Summons - Dan Johnston, # 14 Summons - Montana Salvoni, # 15 Summons - Shelley Mortinson, # 16 Summons - Angela Emter, # 17 Summons - Victoria Kennedy, # 18 Summons - Gregory G Silvey, # 19 Summons - Lisa Gilman, # 20 Summons - Mark Koenen, # 21 Summons - Lisa van der Lugt, # 22 Summons - Uriel Iniguez, # 23 Summons - Claudia Watson, # 24 Envelope) Noted by clerk for 7/19/2019. (ERA) (Entered: 07/03/2019)
07/01/2019	7	MOTION to Appoint Counsel, filed by Plaintiff Silverio Arenas, Jr. (Attachments: # 1 Envelope) Noted by clerk for 7/19/2019. (ERA) (Entered: 07/03/2019)
07/26/2019	8	ORDER on 6 Motion to Amend and 7 Motion to Appoint Counsel signed by Judge Robert J. Bryan. Paper copy to Plaintiff at Mount Vernon address. (TC) (Entered: 07/26/2019)
07/26/2019	9	AMENDED COMPLAINT against defendant(s) Angela Emter, Bob Ferguson, Gary Franklin, Lisa Gilman, Lee Glass, Jay Inslee, Dan Johnston, Victoria Kennedy, Mark Koenen, Ernie LaPalm, Maggie Leland, Tonya Morgan, Shelley Mortinson, Joel Sacks, Montana Salvoni, Gregory G Silvey, Stephen Thielke, Victor Velasquez, Jean des Rochers, Lisa van de Lugt, Uriel Iniguez, Claudia Watson, filed by Silverio Arenas, Jr. (TC) (Entered: 07/26/2019)

07/26/2019	10	Summons(es) Issued in Paper Form as to defendant(s) Angela Emter, Bob Ferguson, Gary Franklin, Lisa Gilman, Lee Glass, Uriel Iniguez, Jay Inslee, Dan Johnston, Victoria Kennedy, Mark Koenen, Ernie LaPalm, Maggie Leland, Tonya Morgan, Shelley Mortinson, Joel Sacks, Montana Salvoni, Gregory G Silvey, Stephen Thielke, Victor Velasquez, Claudia Watson, Jean des Rochers, Lisa van der Lugt. (Attachments: # 1 Summons Ferguson, # 2 Summons Sacks, # 3 Summons Velasquez, # 4 Summons Leland, # 5 Summons Morgan, # 6 Summons Franklin, # 7 Summons Glass, # 8 Summons Thielke, # 9 Summons des Rochers, # 10 Summons LaPalm, # 11 Summons Johnston, # 12 Summons Salvoni, # 13 Summons Mortinson, # 14 Summons Emter, # 15 Summons Kennedy, # 16 Summons Silvey, # 17 Summons Gilman, # 18 Summons Koenen, # 19 Summons van der Lugt, # 20 Summons Iniguez, # 21 Summons Watson) (TC) (Entered: 07/26/2019)
08/20/2019	11	NOTICE of Appearance by attorney Celeste T. Stokes on behalf of Defendants Angela Emter, Bob Ferguson, Gary Franklin, Lisa Gilman, Lee Glass, Uriel Iniguez, Jay Inslee, Dan Johnston, Victoria Kennedy, Mark Koenen, Ernie LaPalm, Maggie Leland, Tonya Morgan, Shelley Mortinson, Joel Sacks, Montana Salvoni, Gregory G Silvey, Stephen Thielke, Victor Velasquez, Claudia Watson, Jean des Rochers, Lisa van der Lugt. (Stokes, Celeste) (Entered: 08/20/2019)
08/20/2019	12	DECLARATION of Service (Amended) re 11 Notice of Appearance, by Defendants Angela Emter, Bob Ferguson, Gary Franklin, Lisa Gilman, Lee Glass, Uriel Iniguez, Jay Inslee, Dan Johnston, Victoria Kennedy, Mark Koenen, Ernie LaPalm, Maggie Leland, Tonya Morgan, Shelley Mortinson, Joel Sacks, Montana Salvoni, Gregory G Silvey, Stephen Thielke, Victor Velasquez, Claudia Watson, Jean des Rochers, Lisa van der Lugt (Stokes, Celeste) (Entered: 08/20/2019)
08/20/2019	13	ORDER EXTENDING COMBINED JOINT STATUS REPORT AND DISCOVERY PLAN DEADLINE. JSR due date extended to 9/17/2019. Signed by Judge Robert J. Bryan. (JL) Paper copy sent to plaintiff at Mt. Vernon address . Modified on 8/20/2019 (JL). (Entered: 08/20/2019)
08/23/2019	14	MOTION to Stay <i>Deadlines</i> , filed by Defendants Angela Emter, Bob Ferguson, Lisa Gilman, Jay Inslee, Ernie LaPalm, Gregory G Silvey, Lisa van der Lugt. (Attachments: # 1 Proposed Order) Noting Date 9/6/2019, (Stokes, Celeste) (Entered: 08/23/2019)
09/06/2019	15	SERVICE OF SUMMONS and Complaint returned executed upon defendant Angela Emter on 8/11/2019 by Michael Graham (Process Server). (ERA) (Entered: 09/10/2019)
09/06/2019	16	SERVICE OF SUMMONS and Complaint returned executed upon defendant Shelley Mortinson on 8/12/2019 by Michael Graham (Process Server). (ERA) (Entered: 09/10/2019)
09/06/2019	17	SERVICE OF SUMMONS and Complaint returned executed upon defendant Ernie LaPalm on 8/11/2019 by Michael Graham (Process Server). (ERA) (Entered: 09/10/2019)
09/06/2019	18	SERVICE OF SUMMONS and Complaint returned executed upon defendant Uriel Iniguez on 8/8/2019 by Michael Graham (Process Server). (ERA) (Entered: 09/10/2019)
09/06/2019	19	SERVICE OF SUMMONS and Complaint returned executed upon defendant Victoria Kennedy on 8/8/2019 by Michael Graham (Process Server). (ERA) (Entered: 09/10/2019)

09/06/2019	20	SERVICE OF SUMMONS and Complaint returned executed upon defendant Jean des Rochers on 8/8/2019 by Michael Graham (Process Server). (ERA) (Entered: 09/10/2019)
09/06/2019	21	SERVICE OF SUMMONS and Complaint returned executed upon defendant Stephen Thielke on 8/8/2019 by Michael Graham (Process Server). (ERA) (Entered: 09/10/2019)
09/06/2019	22	SERVICE OF SUMMONS and Complaint returned executed upon defendant Lee Glass on 8/8/2019 by Michael Graham (Process Server). (ERA) (Entered: 09/10/2019)
09/06/2019	23	SERVICE OF SUMMONS and Complaint returned executed upon defendant Gary Franklin on 8/8/2019 by Michael Graham (Process Server). (ERA) (Entered: 09/10/2019)
09/06/2019	24	SERVICE OF SUMMONS and Complaint returned executed upon defendant Tonya Morgan on 8/8/2019 by Michael Graham (Process Server). (ERA) (Entered: 09/10/2019)
09/06/2019	25	SERVICE OF SUMMONS and Complaint returned executed upon defendant Maggie Leland on 8/8/2019 by Michael Graham (Process Server). (ERA) (Entered: 09/10/2019)
09/06/2019	26	SERVICE OF SUMMONS and Complaint returned executed upon defendant Claudia Watson on 8/8/2019 by Michael Graham (Process Server). (ERA) (Entered: 09/10/2019)
09/06/2019	27	SERVICE OF SUMMONS and Complaint returned executed upon defendant Joel Sacks on 8/8/2019 by Michael Graham (Process Server). (ERA) (Entered: 09/10/2019)
09/06/2019	28	SERVICE OF SUMMONS and Complaint returned executed upon defendant Lisa Gilman on 8/8/2019 by Michael Graham (Process Server). (ERA) (Entered: 09/10/2019)
09/06/2019	29	SERVICE OF SUMMONS and Complaint returned executed upon defendant Gregory G Silvey on 8/8/2019 by Michael Graham (Process Server). (ERA) (Entered: 09/10/2019)
09/06/2019	30	SERVICE OF SUMMONS and Complaint returned executed upon defendant Jay Inslee on 8/8/2019 by Michael Graham (Process Server). (ERA) (Entered: 09/10/2019)
09/06/2019	31	SERVICE OF SUMMONS and Complaint returned executed upon defendant Lisa van der Lugt on 9/6/2019 by Michael Graham (Process Server). (ERA) (Entered: 09/10/2019)
09/06/2019	32	SERVICE OF SUMMONS and Complaint returned executed upon defendant Bob Ferguson on 8/8/2019 by Michael Graham (Process Server). (ERA) (Entered: 09/10/2019)
09/11/2019	33	ORDER on 14 Motion to Stay signed by Judge Robert J. Bryan. Paper copy sent to Plaintiff at Mount Vernon address. (TC) (Entered: 09/11/2019)
09/30/2019	34	MOTION for Clarification Regarding Case Progression, filed by Plaintiff Silverio Arenas, Jr. Noted by clerk for: 10/18/2019. (GMR) (Entered: 10/02/2019)
10/11/2019	35	RESPONSE, by Defendants Angela Emter, Bob Ferguson, Lisa Gilman, Jay Inslee, Ernie LaPalm, Gregory G Silvey, Lisa van der Lugt, to 34 MOTION for Clarification Regarding Case Progression. (Stokes, Celeste) (Entered: 10/11/2019)

10/23/2019	36	ORDER DENYING PLAINTIFF'S LETTER/MOTION AND REFERRING CASE TO BANKRUPTCY COURT, denying 34 Motion. Case stayed pending Bankruptcy Court proceedings. Signed by Judge Robert J. Bryan. (JL) Paper copy sent to plaintiff at Mount Vernon address . Modified on 10/23/2019 (JL). (Entered: 10/23/2019)
------------	--------------------	--

PACER Service Center			
Transaction Receipt			
10/28/2019 08:21:09			
PACER Login:	RAOrtiz5:5230553:0	Client Code:	
Description:	Docket Report	Search Criteria:	3:19-cv-05339-RJB
Billable Pages:	6	Cost:	0.60